

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRICIA GOOIKER, WILLIAM FINLEY,
individually and on behalf of others similarly
situated,

Plaintiffs,

vs.

MINDVALLEY, INC.,

Defendant.

Case No.: 5:24-cv-00593-NW

DECLARATION OF WILLIAM FINLEY IN
SUPPORT OF PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF RULE 23(b)(2)
CLASS ACTION SETTLEMENT, SERVICE
AWARDS, AND ATTORNEYS' FEES AND
COSTS

Date: August 20, 2025
Time: 9 a.m.
Courtroom: 3
Judge: Hon. Noël Wise

I, William Finley, declare as follows:

1. I am a Class Representative in this Action and respectfully submit this Declaration in support of the Motion for Final Approval of Rule 23(b)(2) Class Action Settlement, Service Awards, and Attorneys' Fees and Costs. I have personal knowledge of all the facts stated herein, and if called to testify as a witness, I could and would competently testify to them.

2. Unless otherwise defined, capitalized terms in this Declaration have the same meaning as set forth in the Settlement Agreement attached as Exhibit A to the declaration of Eric S. Dwoskin filed in support of the motion.

3. I am a member of the Class of subscribers to Mindvalley's platform. I subscribed to Mindvalley's video services on or about November 25, 2021. I requested and viewed videos on Mindvalley's platform after November 25, 2021.

4. I decided to be a plaintiff in this case because I believe that companies should respect users' privacy, and, in particular, the privacy of the videos that they request or watch from video tape service providers, like Mindvalley.

5. Before bringing this lawsuit, I understood and agreed to the following:

- 1 a. A class representative represents the interests of all members of the class;
- 2 b. A class representative always considers the interests of the class just as he would
- 3 consider his own interests;
- 4 c. A class representative participates in the lawsuit, such as by answering written
- 5 questions and providing documents, and by keeping generally aware of the status
- 6 and progress of the lawsuit; and
- 7 d. I have volunteered to represent the Class in this lawsuit because I believe that
- 8 Defendant's alleged conduct is wrongful and that video tape service providers
- 9 shouldn't be allowed to disclose subscribers' video request and watch history
- 10 without their informed consent and the right to opt-out.

11 6. I have no conflicts of interest with any other Class member, and I am willing and able
12 to continue to serve as Class Representative.

13 7. At all times during this litigation, I have endeavored to fully discharge my obligations
14 to the Class as Class Representative. To that end, I have: 1) routinely communicated with Class
15 Counsel concerning this Action; 2) remained fully informed about case developments; 3) routinely
16 reviewed the various pleadings and motions filed in this Action; 4) reviewed other documents related
17 to the case; 5) responded to Defendant's discovery requests; and 6) carefully reviewed the settlement
18 documents in order to understand and approve the terms of the settlement and the benefits to the
19 Class. I agreed to the terms set forth in the Settlement, subject to the Court's approval.

20 8. I have been involved in the Action as the named plaintiff since the First Amended
21 Complaint was filed. I have faithfully and diligently discharged my duties as Class Representative,
22 and I have worked closely with my attorneys to ensure the efficient and effective prosecution of the
23 Action. In doing so, I estimate that I expended approximately 10 hours of my time discharging my
24 obligations to the Class as Class Representative.

25 9. My services as Class Representative began with the filing of the FAC, which I
26 reviewed and discussed with Class Counsel before it was filed. I subsequently engaged in written
27 discovery by providing responses to Defendant's requests. Throughout the discovery process, I
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1 remained apprised of relevant information produced by Defendant and the activities of Class Counsel
2 as they issued a third-party subpoena to Meta Platforms, Inc.

3 10. Based on my involvement in the litigation and settlement negotiations in the Action, I
4 believe that the Settlement is fair, reasonable, and adequate to the Class. I also believe that the
5 Settlement represents a favorable recovery considering the substantial risks were litigation to
6 continue. I appreciate that Class Counsel invested hundreds of thousands of dollars worth of attorney
7 time in hard-fought litigation, with no guarantee of recovery or payment, to achieve an excellent result
8 for the Class. I therefore endorse final approval of the Settlement by the Court, fees and costs to Class
9 Counsel in the amount of \$450,000, and a Service Award of \$5,000 for my time and effort in this
10 Action which includes my liquidated damages of \$2,500 under the VPPA.

11 11. I believe Class Counsel's request for fees and costs in the amount of \$450,000 is fair
12 and reasonable under the circumstances of this case. I have evaluated the fee request by considering
13 the efficient prosecution of the Action, the amount and quality of the work performed, and the results
14 obtained for the Class. I further believe that Class Counsel's litigation expense reimbursement request
15 is reasonable and represents costs and expenses necessary for the prosecution and resolution of the
16 claims.

17 12. Based on the foregoing, and consistent with my obligation to the Class to obtain the
18 best result at a reasonable cost, I support Class Counsel's application for fees and costs.

19 13. In conclusion, I endorse the Settlement as fair, reasonable, and adequate, and believe
20 it represents a favorable recovery for the Class considering the significant risks of continued litigation.
21 I further support Class Counsel's fees and costs request as well as my request a Service Award
22 (including my damages under the VPPA). I believe these requests represent fair and reasonable
23 compensation for the time and effort expended in this Action.

24 14. I remain ready, willing, and able to continue to represent the interests of the Class
25 throughout the Settlement approval process.

26 I declare under penalty of perjury under the laws of the United States and the state of
27 California that the foregoing is true and correct.

28 Executed on 5/1/2025 in Fremont, California.

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DocuSigned by:
William Finley
/s/ WILLIAM FINLEY

E-FILING ATTESTATION

I, Julie C. Erickson, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Julie C. Erickson

Julie C. Erickson

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May 2025, the foregoing **DECLARATION OF WILLIAM FINLEY IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF RULE 23(b)(2)CLASS ACTION SETTLEMENT, SERVICE AWARDS, AND ATTORNEYS' FEES AND COSTS** was filed and served using the CM/ECF system, which will serve as notification of such filings on all counsel of record.

/s/ Julie C. Erickson

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